



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Am

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|------------------------------|---------------------|------------------|
| 09/755,955 | 01/05/2001 | Patrick Kerpan | 3343/01048 | 5180 |
| 7590 04/08/2005 | | | | |
| DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022 | | EXAMINER KENDALL, CHUCK O | | |
| | | ART UNIT PAPER NUMBER | | |
| | | 2192 | | |
| DATE MAILED: 04/08/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|-------------------------------|--|
| Office Action Summary | Application No. 09/755,955 | Applicant(s) KERPAN ET AL. | |
| | Examiner Chuck Kendall | Art Unit 2192 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. This action is in response to the application filed 02/25/05.
2. Claims 1 - 14 are pending.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/25/05 has been entered.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 - 14 are rejected under 35 U.S.C. 102(b) as being anticipated by
Reed et al. USPN 5,862,325.

Regarding claim 1, Reed anticipates an object-oriented temporal context
programming system comprising:

a database (FIG. 1, 11, see provider database);

data objects, each data object being defined by a class of object with at least one attribute, said attribute being at least relatively persistently stored in the database so that past and present values of the attribute are stored in the database (30: 48 – 52, see “edited instances do not necessarily replace the previous instance when stored in database....Multiple versions of object instances may be maintained in the database so that the user can revert to previous data..”), with an indication of the effective time of each value (31: 1 – 5, see maintaining instances for specified interval of time (“*effective time*”) of the attribute (Col. 58:48 – 50, see “date / time...” also see 59:5 – 15);and

methods which the class can carry out, said methods having an argument which is effective time (Col. 58:48-50, see “date/time ...”), said method being at least relatively persistently (69: 10 -15) stored in the database so that past and present values of the attribute are stored in the database (30: 48 – 52), with an indication of the effective time of each version of the method, execution of said method with a particular time argument utilizing particular values of the attributes of the effected data objects and the particular version of the method in effect for the particular time specified (Col.59:40-55).

Regarding claim 2, Reed anticipates an object-oriented temporal context programming system comprising:

a database (FIG. 1, 11, see provider database);

data objects, each data object being defined by a class of object and having at least one attribute, said attribute being at least relatively persistently (69: 10 -15) stored in the database so that past and present values of the attribute are stored in the

database (30: 48 – 52) with an indication of the effective time each value of the attribute (Col. 58:48-50, see "date/time ..."); and

methods which the class can carry out, said methods having an argument which is effective time, execution of said method with a particular time argument utilizing the values of the attributes of the effected data objects in effect for the particular time specified (Col.59:45-50, see update method).

Regarding claim 3, which recites similar limitations as claim 1, with regards to effective time and change in said method see rationale as previously discussed above in claim 1.

Regarding claim 4, Reed anticipates an object-oriented temporal context programming system comprising:

a database (FIG. 1, 11, see provider database);

data objects, each data object being defined by a class of object and having attributes, at least one attribute of one data object being stored at least relatively persistently (59: 5 -15) in the database so that past and present values of the attribute are stored in the database (30: 48 – 52) with an indication of the context thereof; and

methods which the class can carry out, at least one of said methods having an argument which is an indication of context, said method being stored at least relatively persistently (69: 10 -15) in the database so that atleast two versions of the method are stored in the database, each version being associated (30: 48 – 52) with an indication of the context thereof, a method executed with a particular context argument utilizing

values of the attributes of the effected data objects and the versions of the method in effect for the particular context (Co1.59:40-55, also see Reed et seq.).

Regarding claim 5, an object-oriented temporal context programming system as claimed in claim 4 wherein the context is a version of an application program, so that by identifying a particular context a different version of the application program runs and gives the user a different vantage point from which to experience the program (Co1.10:5-15, see updated version).

Regarding claim 6, which recites similar limitations as recited in claim 4 see rationale as previously discussed above.

Regarding claim 7, which recites similar limitations as recited in claim 4 see rationale as previously discussed above.

Regarding claim 8, a temporal context programming system as claimed in any one of claims 1 - 3, further including a new attribute added to said data object and being stored in the database with an indication of the effective time of the new attribute, which effective time is subsequent the time of creation of the object.

Regarding claim 9, an object-oriented context programming system as claimed in any one of claims 4 -7, further including a new attribute added to said data object and being stored in the database (FIG. 1, 11, see provider database); with an indication of the context of the new attribute (69: 2 - 5).

Regarding claim 10, an object-object oriented temporal context programming system as claimed in any one claims 1-3, wherein the execution of said method is with respect to a time in the past (59: 52 - 55).

Regarding claim 11, an object-object oriented temporal context programming system as claimed in claim 10 wherein one attribute has an additional context of an error and an equivalent attribute has an additional context of the error corrected, and wherein the methods can be run to show the effect in the past both with and without the error (59: 20 -25).

Regarding claim 12, an object-object oriented temporal context programming as claimed in any of claims 1-3, wherein said data objects is formed from a temporal base object as a subclass of the base object which inherits its temporal context capabilities of reading (getting) or storing (setting) (21: 27 - 33).

Regarding claim 13, an object-oriented temporal context programming as claimed in any of claims 1-3, wherein said class of object is formed from a temporal base class as a subclass of the temporal base object class and inherits its temporal context capabilities of reading (getting) or storing (setting) from the temporal base object class (92: 25 – 35, for temporal based i.e. time based querying see, archive composite type element and current date and time also see (21: 27 – 33).

Regarding claim 14, an object-object oriented temporal context programming as claimed in any of claims 4 –7, wherein said class of object is formed from a base object class as a subclass of the base object class which inherits its context capabilities of reading (getting) or storing (setting) from the base object class.

Response to Arguments

6. Applicant's arguments filed 02/25/05 have been fully considered but they are not persuasive. Applicant argues on page 10 of Applicant's response as dated above, that

Reed doesn't not disclose storing multiple values of a single attribute in a database as well as associating each value with an effective time or storing multiple versions of a single method in a database, associating each version with an effective time.

Contrary to Applicant's belief, Reed does actually teach that "Multiple versions of object instances may be maintained in the database so that the user can revert to previous data..", in (30: 48 – 52) as well teaching "effective time" as claimed by Applicant, see Reed, (31: 1 – 5) for specified interval of time. Therefore, Examiner still maintains that Reed shows all of Applicant's claimed limitations. Examiner has also cited pertinent prior art, which all arguably alone or in combination disclose all of Applicant's claimed invention.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Flynn et al. USPN 5,347,653, also deals with archiving different versions and effective time as well.

Snodgrass et al. USPN 6,185,556, shows changing a temporal database and also includes archiving multiple versions.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

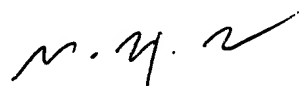
Art Unit: 2192

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WEI Y. ZHEN
PRIMARY EXAMINER